

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	CASE NO. 8:11CR42
)	
Plaintiff,)	
)	
vs.)	AMENDED
)	TENTATIVE FINDINGS
)	
RICHARD L. DOBESH,)	
)	
Defendant.)	

The Court has received the most recent Presentence Investigation Report ("PSR") sent to the Court on January 13, 2012. Pending are the Defendant's objections to the previous version of the PSR (Filing No. 51) and objections to the Court's previous Tentative Findings (Filing No. 54). See Order on Sentencing Schedule, ¶ 6. The Court advises the parties that these Tentative Findings are issued with the understanding that, pursuant to *United States v. Booker*, 543 U.S. 220 (2005), the sentencing guidelines are advisory.

It appears that the Defendant's objections (Filing Nos. 51 and 54) are now moot.

IT IS ORDERED:

1. The Court's Amended Tentative Findings are that the Defendant's objections to the previous version of the PSR (Filing No. 51) and objections to the Court's previous Tentative Findings (Filing No. 54) are denied as moot;

2. If **any** party wishes to challenge these tentative findings, the party shall immediately file in the court file and serve upon opposing counsel and the Court a motion challenging these tentative findings, supported by (a) such evidentiary materials as are required (giving due regard to the requirements of the local rules of practice respecting the submission of evidentiary materials), (b) a brief as to the law, and (c) if an evidentiary

hearing is requested, a statement describing why an evidentiary hearing is necessary and an estimated length of time for the hearing;

3. Absent submission of the information required by paragraph 2 of this Order, my tentative findings may become final; and

4. Unless otherwise ordered, any motion challenging these tentative findings shall be resolved at sentencing.

DATED this 13th day of January, 2012.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge